



UNITED STATES PATENT AND TRADEMARK OFFICE

28549-203021-RSB

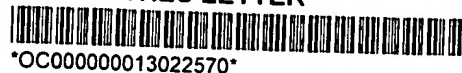
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,246	04/09/2004	Michael Scalora	

26694  
VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP  
P.O. BOX 34385  
WASHINGTON, DC 20043-9998

CONFIRMATION NO. 8395

## FORMALITIES LETTER



\*OC000000013022570\*

09/23/2004 EFLORES 00000073 220261 10821246

06 FC:2051 40.00 DA 25.00 OP

Date Mailed: 06/22/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/23/2004 EFLORES 00000073 220261 10821246

02 FC:2001 385.00 OP  
03 FC:2201 43.00 OP  
04 FC:2202 63.00 OP

FILED UNDER 37 CFR 1.53(b)

DOCKETED

Filing Date Granted

CLIENT/MATTER # \_\_\_\_\_ ATTY RSB  
DUE DATE 8-22-04  
FINAL DEADLINE 1-22-05  
DKTED BY [Signature]

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

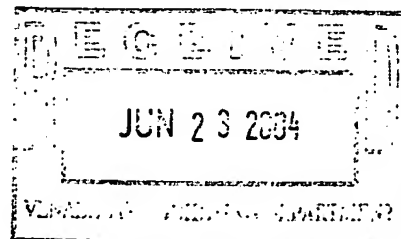
The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$106 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

## SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$556 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$106

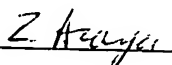


- \$43 for 1 independent claims over 3.
- \$63 for 7 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

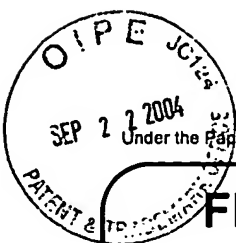
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*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**FEE TRANSMITTAL  
for FY 2004**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 611**Complete if Known**

Application Number	10/821,246
Filing Date	April 9, 2004
First Named Inventor	Michael Scalora
Examiner Name	To Be Assigned
Group / Art Unit	2878
Attorney Docket No.	28549-203021

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

22-0261

Deposit  
Account  
Name

Venable LLP

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)**

(\$ 385)

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
27	-20 ** = 7	X 9 =	63
Independent Claims	4	-3 ** = 1	X 43 = 43
Multiple Dependent		X	= 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2204	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)**

(\$ 106)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2215	55	Extension for reply within first month	55
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	25403	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 120)

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)

Robert S. Babayi

Registration No. Attorney/Agent)

33,471

Telephone

202-344-4045

Signature

Date

September 22, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  
SEND TO: Commissioner for Patents, Mail Stop Patent Application, Alexandria, VA 22313-1450.**VENABLE**  
ATTORNEYS AT LAW

PC Docs No. 582386



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Michael Scalora et al.** )  
)  
Serial No. **10/821,246** ) Group Art Unit: **2878**  
)  
Filing Date: **April 9, 2004** ) Examiner: **To be assigned**  
)  
For: **PHOTONIC SIGNAL** ) Customer No.  
     **FREQUENCY UP AND DOWN-** )  
     **CONVERSION USING A** )  
     **PHOTONIC BAND GAP** )  
     **STRUCTURE** )  
  
Atty. Docket No. **28549-203021** )

**26694**

PATENT TRADEMARK OFFICE

September 22, 2004

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Mail Stop Missing Parts

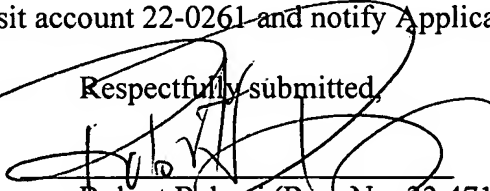
Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 22, 2004, a copy of which is enclosed, Applicants submit herewith an Petition for a 1 month extension of time, executed Declaration and Power of Attorney and the required fees.

A check in the required amount is enclosed. Should any other fee be required, please charge the same to deposit account 22-0261 and notify Applicants' attorney.

Respectfully submitted,

Date: September 22, 2004

  
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